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Security Council

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Security Council Committee established pursuant to resolution 2140 (2014)

Note verbale dated 26 May 2015 from the Permanent Mission of Malaysia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Malaysia to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 2140 (2014) and has the honour to submit the report of the Government of Malaysia prepared pursuant to paragraph 9 of Security Council resolution 2204 (2015) (see annex).

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Please recycle

Annex to the note verbale dated 26 May 2015 from the Permanent Mission of Malaysia to the United Nations addressed to the Chair of the Committee

Report of the Government of Malaysia submitted pursuant to Security Council resolution 2140 (2014)

1. Malaysia remains committed to the implementation of Security Council resolution 2140 (2014) concerning Yemen.

2. In this regard, Malaysia is pleased to submit to the Security Council Committee established pursuant to resolution 2140 (2014) the steps which Malaysia has taken with a view to implementing the obligations contained in paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 9 of Security Council resolution 2204 (2015).

Travel ban

3. In complying with resolution 2140 (2014), the Immigration Department of Malaysia has imposed travel bans under the Immigration Act 1959/63 to prevent the entry into or transit through its territories of the three individuals designated by the Committee.

4. The Immigration Department of Malaysia further confirmed that there has been no record of the listed individuals entering or leaving Malaysia.

Asset freeze

5. The relevant financial institutions have been notified by the Central Bank of Malaysia to freeze funds, other financial assets and economic resources that are owned or controlled, directly or indirectly, by any individuals or entities designated by the Committee, or by any individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them in accordance with the applicable domestic laws and regulations.

6. A provision under section 82 of the Central Bank of Malaysia Act 2009 (Act) enables the Central Bank of Malaysia to undertake action(s) with regard to an individual or entity designated by the Committee.

7. This provision provides the legal basis for the Central Bank of Malaysia to instruct financial institutions under its supervision to freeze the funds, financial assets or economic resources of individuals and entities designated by the Security Council Committee established pursuant to resolution 2140 (2014). Action can be taken against (a) financial institution(s) for non-compliance with the Central Bank's instruction in this regard.

8. The Government of Malaysia is also introducing a special provision in the Securities Commission (Amendment) Bill 2015 in order to grant the Securities Commission Malaysia the authority to instruct its licensed intermediaries to freeze the assets or accounts of designated individuals and entities. The Securities Commission (Amendment) Bill 2015 was approved by the House of Representatives of Malaysia on 8 April 2015 and by the Senate on 22 April 2015.

9. With reference to the letter from the Coordinator of the Panel of Experts to the Mission of Malaysia dated 17 November 2014, the Malaysian authorities have undertaken investigations into the allegation that there might be assets, including real, intangible and financial assets, disguised in Malaysia to hinder the identification of the true owner, in relation to the designated individuals. The scope of the investigations covered the three designated individuals listed by the Yemen Sanctions Committee, as well as 20 other individuals who have been identified for possibly aiding Ali Abdullah Saleh in hiding his assets.

10. The findings of the investigations found no evidence of assets, including real, intangible and financial assets, disguised in Malaysia to hinder the identification of the true owner, in relation to the designated individuals. Licensed intermediaries in Malaysia also confirmed that they have no dealings with any of the designated/identified individuals.

11. Malaysia reaffirms its commitment to its obligations under the Charter of the United Nations and stands ready to extend its cooperation to the Panel of Experts and the Committee.